

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAIIUNITED STATES DISTRICT COURT  
for the  
DISTRICT OF HAWAII

DEC 17 2004

at 1 o'clock and 0 min. AM  
WALTER A.Y.H. CHINN, CLERK

U.S.A. vs. DAVID FONOTI

MAGISTRATE NO. 04-0342KSC

## Petition for Action on Conditions of Pretrial Release

COMES NOW ALISON G.K. THOM, U.S. Pretrial Services Officer, presenting an official report upon the conduct of defendant DAVID FONOTI, who was placed under pretrial release supervision by the Honorable Barry M. Kurren sitting in the Court at Honolulu, Hawaii, on December 18, 2004. The current conditions of pretrial release (UNDER SEAL) are as follows: a \$25,000 unsecured bond and

1. (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
2. (7c) Maintain or actively seek employment, as directed by Pretrial Services.
3. (7g2) Do not apply for/obtain a passport.
4. (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.
5. (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
6. (7u) Do not use illicit drugs. The defendant may possess and/or be in the presence of illicit drug use or drug users/traffickers, only if authorized by the DEA agent for the purposes of cooperation.
7. (7v1) Submit to drug detection testing as approved by Pretrial Services.
8. (7y) You must contribute toward the costs of the services required by this bond, to the extent you are financially able to do so, as determined by Pretrial Services.
9. Other Conditions: Do not possess any badges or credentials of law enforcement officers.
10. Other Conditions: The defendant is placed under the supervision of the DEA and DEA will report any violations or arrests to Pretrial Services. Pretrial Services will continue to maintain contact with the defendant but community-based supervision activities will be suspended.
11. Other Conditions: Once the active cooperation has ended, the AUSA will schedule a hearing to determine if the conditions of release should be modified.

SEARCHED  
BY ORG: [REDACTED] OF THE COURT

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December 16, 2004  
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Respectfully presenting petition for action of Court and for cause as follows:

The defendant has violated the conditions of pretrial release by:

Admitting to being in possession of a firearm during the month of December 2004, in violation of Special Condition No. 5.

PRAYING THAT THE COURT WILL ORDER a Summons be issued and the defendant be brought forth to show cause as to why pretrial release should not be revoked and to review the current conditions of pretrial release. The defendant's last known address is: c/o Shanlyn Park, 300 Ala Moana Boulevard, Room 7104, Honolulu, HI 96850.

ORDER OF COURT

Considered and ordered this 16<sup>th</sup> day of December, 2004 and ordered filed and made a part of the records in the above case.

  
LESLIE E. KOBAYASHI

U.S. Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 16, 2004

  
ALISON G.K. THOM  
U.S. Pretrial Services Officer

Place: Honolulu, Hawaii